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DOCKET NO.: NIH-0239/E-099-99/0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 05 2002

In Re Application of:

Brian R. Murphy, Peter L. Collins, Alexander C. Schmidt, Anna P. Durbin,
Mario A. Skiadopoulos, Tao Tao

TECH CENTER 1600/290

Serial No.: 09/733,692

Group Art Unit: 1648

Filing Date: December 8, 2000

Examiner: Stacy Brown

For: USE OF RECOMBINANT PARAINFLUENZA VIRUSES (PIVS) AS VECTORS
TO PROTECT AGAINST INFECTION AND DISEASE CAUSED BY PIV AND
OTHER HUMAN PATHOGENS

DATE OF DEPOSIT: May 15, 2002
I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE AS FIRST CLASS MAIL,
POSTAGE PREPAID ON THE DATE INDICATED
ABOVE AND IS ADDRESSED TO THE
COMMISSIONER FOR PATENTS AND
TRADEMARKS, WASHINGTON, DC 20231.

TYPED NAME: Jeffrey J. King
REGISTRATION NO. 38,515

Commissioner for Patents
Washington DC 20231

Sir:

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ A Response to Restriction/Election Requirement, responsive to the Office Action
Dated March 26, 2002.
- ☐ An Amendment Supplemental to the Paper filed _____.
- ☐ Other: _____.
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.

☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:

- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization

☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.

☐ Substitute Pages _____ of the Specification are enclosed.

☐ An Abstract is enclosed.

☐ _____ Sheets of Proposed Corrected Drawings are enclosed.

☐ A Certified Copy of each of the following applications:
is enclosed.

☐ An Associate Power of Attorney is enclosed.

☐ Information Disclosure Statement.

☐ Attached Form 1449.

☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.

☐ Appended Material as follows:

☐ Other Material as follows:

FEE CALCULATION

☐ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMEN T	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIM S		(20 MINIMUM)		\$9 EACH	\$	\$18 EACH	\$
INDEP. CLAIM S		(3 MINIMUM)		\$42 EACH	\$	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input checked="" type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$110
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$110

- ☒ A Check is Enclosed in the Foregoing Amount Due.
- ☒ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of **March 26, 2002** to and through **May 26, 2002** comprising an extension of the shortened statutory period of **one (1) month**.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the

above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: May 15, 2002


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Registration No. 38,515

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